

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Jose Luis Frayde
A202 074 822

YOB:

PRINCIPAL
1989United States
United States District Court
Southern District of Texas
FILEDCase Number:
M-14-1538 -M

AUG 09 2014

Clerk of Court

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about August 8, 2014 in Brooks County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)


knowing or in reckless disregard of the fact that Selvin Danilo Mejia-Molina, citizen and national of Honduras, along with eleven (11) other undocumented aliens for a total of twelve (12), who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Donna, Texas to the point of arrest near Encino, Texas.

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY
I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On August 8, 2014, Border Patrol Agent (BPA) O. Hinojosa was conducting roving patrol duties on Highway 281. While observing traffic, he noticed a Ford F-150 which appeared heavily laden in the bed area travelling north. BPA Hinojosa proceeded to drive next to the truck for a closer observation and noticed brown burlap sacks in the bed of the truck. The burlaps appeared empty; however, BPA Hinojosa suspected they were being utilized as concealment for narcotics or illegal aliens. Three subjects including the driver were in the front seat and due to the heavy flow of traffic, BPA Hinojosa proceeded to drive in front of the F-150. BPA G. Garcia and E. Benavidez were also in the area and managed to drive next to the F-150 and observed several subjects moving underneath the burlap sacks attempting to conceal themselves in the bed of the truck. Based on their observations, BPA Hinojosa once again drove behind the truck and activated his emergency equipment in an attempt to conduct a vehicle stop for an immigration inspection.

SEE ATTACHED:

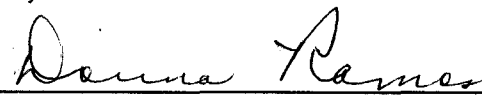
Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Signature of Complainant

Frediberto Hernandez Senior Patrol Agent

Printed Name of Complainant

Sworn to before me and subscribed in my presence,

August 9, 2014
Dateat McAllen, Texas
City and StateDorina Ramos, U. S. Magistrate Judge
Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-14- 1538 -M

RE: Jose Luis Frayde

A202 074 822

Fourteen subjects were found in the vehicle to include the front seat, back seat, floorboard area of the back seat, and bed of the pickup truck. The driver, Jose Luis Frayde, was interviewed and claimed to be a United States Citizen. The additional 13 occupants were all interviewed and were found to be illegally present in the United States. All of the subjects were then transported for further questioning and processing. At the station, Frayde was linked to alien smuggling in this case based on his own admission and material witness statement. A passenger in the vehicle was identified as the foot guide for the group but due to a lack of evidence, was not prosecuted.

Principal Statement:

Jose Luis Frayde was read his Miranda Rights and provided a statement without an attorney present. Frayde stated he agreed to transport the illegal aliens and made arrangements to be paid \$150 per person. He further stated he borrowed his sister in law's truck and travelled to a stash house in Alton and picked up three illegal aliens. Frayde was paid \$800 at that location and proceeded to another stash house in Donna where he picked up the other illegal aliens. He added there was a lead vehicle guiding him and a scout vehicle providing a look out for any law enforcement. While driving, he was then pulled over by Border Patrol and did so without incident. He concluded by stating he did not want to run or attempt to get away and cause an accident so he gave up.

Material Witness Statement:

Selvin Danilo Mejia-Molina was read his Miranda Rights and provided a statement. Mejia claimed to be a citizen of Honduras and illegally entered into the United States. Mejia stated he made arrangements to pay \$3,000 to be smuggled into the U.S. Mejia was seated inside the truck and identified Jose Luis Frayde as the driver of the truck transporting him north.